

### **REMARKS**

Claims 1-18 and 21-24 were pending in this application. Claims 18, 21, 23, and 24 have been canceled herein. Accordingly, Claims 1-17, and 22 remain before the Examiner.

An Information Disclosure Statement is being submitted herewith. The IDS includes the references cited in the background section of this application as well as US5,902,814 and US6,051,581 which are co-owned by Applicant.

#### **Allowed claims**

Applicants note with appreciation the indication that claims 1-17 and 22 have been allowed. Applicants respectfully submit that these claims are still in condition for allowance.

The claims have been amended to make minor corrections. Particularly, independent claim 1 has been amended to replace the plural “and pharmaceutically acceptable salts thereof” to clarify the alternative and singular “or a pharmaceutically acceptable salt thereof”. Although Applicants believe the intent of the original language is clear, the amendment makes the claim more consistent with current Office practice. Dependent claims 2-11, and 13-16 have been amended to clarify that the claim is directed to a compound “or a pharmaceutically acceptable salt thereof.” The phrase “or a pharmaceutically acceptable salt thereof” was inadvertently omitted from the dependent claims. The phrase is present in the original independent claim 1 and is being re-presented in the dependent claims for clarity. No new matter has been introduced.

#### **35 U.S.C. § 112**

Claims 18, 21, and 23-24 stand rejected under 35 U.S.C. § 112. As an administrative expedient, Applicants have canceled claims 18, 21, and 23-24 without disclaimer of and without prejudice to the subject matter contained therein. The rejections under 35 U.S.C. § 112 are

therefore moot. Applicants respectfully reserve the right to pursue the subject matter of the cancelled claims in one or more continuing application(s).

Applicants respectfully submit that all pending claims are now in condition for allowance and respectfully request a Notice of Allowance therefore.

The Commissioner is hereby authorized to charge any fee or underpayment thereof or credit any overpayment to Deposit Account No. 26-0166.

Early allowance of all pending claims is respectfully requested. The examiner is requested to contact the undersigned attorney if an interview, telephonic or personal, would facilitate allowance of the claims.

Respectfully submitted,

Date: August 29, 2008

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AstraZeneca